

REPORT TO CITY COUNCIL

PUBLIC HEARING

December 5, 2016

TO: Honorable Mayor and Members of the City Council
FROM: Debra Irvin, Municipal Services Manager/Building Commissioner
DATE: November 14, 2016
SUBJECT: **Case # 16-12** – A request for a Special Use Permit TO Daniel Fesler d/b/a/ DFE Enterprises LLC for a change of ownership of Stealth Towing and Recovery at 8870 Frost Drive, Berkeley, MO 63134, St. Louis County, Missouri.

We have investigated the Subject item, above, and present the following as our findings:

RECOMMENDATION

Staff recommends approval, with certain conditions, for a Special Use Permit, for the owner to rent to the tenant, Stealth Towing and Recovery at 8870 Frost Drive, Berkeley, MO 63134, St. Louis County, Missouri. The applicant is buying the name and business; name of business and use will remain the same.

BACKGROUND

The current zoning is M-1, Industrial District, Industrial Park. The locator number is 10K240207 and the total acreage of this parcel is about 20.87 acres. The area under roof is thirty-two hundred (3,200) square feet. This property is located on Frost Avenue just off North Hanley and Hazelwood Blvd, neighboring Boeing Aircraft. This area is zoned for industrial commercial business activity, and all four corners at this intersection have commercial uses.

Surrounding land uses and zoning districts include the following:

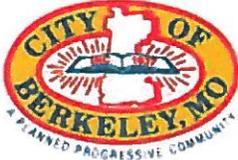
To the north: M-1, Industrial District, *Industrial Park*
To the west: M-1, Industrial District, *Industrial Park*
To the south: M-1, Industrial District, *Industrial Park*
To the east: M-1, Industrial District, *Industrial Park*

SUPPORTING DOCUMENTS

- -Staff Report
- -Special Use Application
- -St. Louis County Property Ownership
- Site Plan

OPTIONS OF THE CITY COUNCIL

1. –Recommend approval of the applicant’s request.



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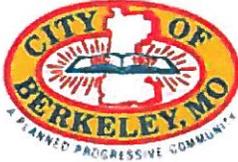
2. –Recommend denial of the applicant’s request.

REQUESTED CITY COUNCIL ACTION

Recommend the City Council approve the Special Use Permit for Stealth Towing and Recovery, a vehicle repossession business with conditions at 8870 Frost Avenue, Berkeley, MO 63134 in accordance with the City’s regulations.

CONDITIONS

1. As a 24- hour towing and repossession business
2. Adhere to all parts of Chapter 605. Merchants' and Manufacturers' Licenses, Article V. Licensing and Regulating the Business of Tow Truck Companies Section 605.360. Definitions.
3. Install screen slats in fencing around entire property
4. No advertising or selling repossessed vehicles from lot, no posters/banners or window signs allowed
5. Apply for commercial inspection from Public Works Department/Inspection Division, which shall include the fire inspection.
6. Overall the total site, total areas, building needs to be inspected by the City Staff for compliance with the City’s current codes and regulations prior to occupying the same.
7. The interior will be thoroughly inspected by City’s Building and Fire Department for compliance.
8. Outside storage of bins and empty boxes is not allowed on the property or in the trash enclosure by the City’s Codes. All trash be stored behind the building line
9. The fee for the issuance of a license under this Section shall be thirty-five dollars (\$35.00) for each tow truck, said fee to accompany the license application. No part of said fee shall be returnable.
10. This Special Use Permit will be revoked if for any reason the applicant ceases operations and not complying with the City’s Special Use Permit.
11. This Special Use Permit shall not be assigned, or sold, or conveyed, without prior written approval from the City Council
12. Prior to issuance of any Occupancy Permit, the above noted conditions shall be met.
13. In granting such special use permits, the City Council may provide that the permit be valid for a limited period of time not to exceed ten (10) years. Upon expiration of the time limit specified in the permit, the holder of the permit may request the permit be reviewed by the City Council, and the City Council may extend it for another limited period of time not to exceed ten (10) years.



REPORT TO CITY COUNCIL

PUBLIC NOTICE AND COMMENT

Public Hearing notification is applicable before the City Council, notices shall be mailed to owners and occupants of the property within 185 feet of the site. This public hearing shall be published, posted and scheduled for the next available date as determined by the City Clerk.

Respectfully submitted,

Debra M. Irvin, Building Commissioner
Municipal Service Manager



TYPE OF APPLICATION

(Please check all that apply) APPLICATION FEE \$350

<input type="checkbox"/> Preliminary (Plats)	<input checked="" type="checkbox"/> Special Use Permit
<input type="checkbox"/> Re-approval (Plats)	<input type="checkbox"/> Zoning Change
<input type="checkbox"/> Amending (Plats)	<input type="checkbox"/> Resubdivision/Reconsolidation
<input type="checkbox"/> Site Plan	<input checked="" type="checkbox"/> Business Name/Ownership Change
<input type="checkbox"/> Lot Consolidation	<input type="checkbox"/> Variance
<input type="checkbox"/> Street Name	<input type="checkbox"/> Other

REQUIREMENTS:

1. Prepare twenty (20) legible sets of drawings detailing interior & exterior of property.
2. Submit a completed application three (3) weeks prior to Planning meeting. (SEE attached Deadline & Meeting dates)
3. **DO NOT** destroy, tear down or remodel proposed business structure until 'FINAL' approval by City Council.
4. If you do not submit your application in a timely manner your request will be considered on the next meeting date.

APPLICANT(S) NAME(S) DFE Enterprises LLC DBA Stealth Recovery

APPLICANT IS: OWNER _____ AGENT _____ PURCHASER OF CONTRACT _____ LEASEE X

APPLICANT(S) ADDRESS: STREET 4312 Southridge meadows Ct

CITY St. Louis STATE MO ZIP 63128 PHONE 314-550-3697 E-MAIL Daniel.fesler@hotmail.com

PROPERTY DESCRIPTION AND STREET ADDRESS OR, IF NO STREET ADDRESS, THEN A GENERAL STREET LOCATION AND/OR DESCRIPTION: warehouse 8870 Frost Ave

PRESENT ZONING DISTRICT: _____ PROPOSED ZONING DISTRICT (If applicable) _____

THE PROPERTY HEREIN IS PRESENTLY BEING USED AS FOLLOWS: repossession company

THE REQUEST IS TO USE IT FOR: (Overview/Nature of business, hours of operation etc.) repossession company

APPROXIMATE SIZE OF TRACT: ~~6000~~ ACRES 1 SQUARE FEET 2400

IF APPLICANT IS NOT OWNER: OWNER(S) NAME: Cassone's environmental waste solutions LLC

ADDRESS: STREET: 625 oregon trail CITY St. Charles

STATE: MO ZIP: 63304 PHONE: 636-443-3444 E-MAIL _____

I HAVE AUTHORITY TO ACT ON BEHALF OF THE OWNER BASED ON: _____

By signing this application the owner(s) and applicant(s) attest that all information and facts provided on this form and attachments are complete and accurate and that any omission or incorrect fact or information may invalidate any notice or subsequent action taken by the City of Berkeley Board of Adjustments, City of Berkeley Planning & Zoning Commission. (All applicants and owners shall sign the application. Attach additional name/address/signature/date pages as needed.)

APPLICANT(S) SIGNATURE [Signature] OWNER(S) SIGNATURE Dan Fesler
DATE 9/12/16 DATE _____

On this date, all items necessary for a technical review of the proposed Special Use Permit plan have been submitted and constitute a COMPLETE APPLICATION.

DATE PAID 9/12/16 Cash Check Money Order Debit/Credit RECEIPT NO: 18885 CASE NO: 16-12



Real Estate Information Printable Version

8870 FROST AVE, SAINT LOUIS, MO 63134

Ownership and Legal Information: 10K240207 - 2016

Locator No.	Tax Year	Tax District	City Code	Site Code	Destination Code
10K240207	2016	111NE	007	0203	
Owner's Name:	Cassones Environmental Waste Solutions LLC				
Taxing Address:	8870 Frost Ave Saint Louis, MO 63134				
Care-Of Name:					
Mailing Address:	625 Oregon Trl Saint Charles, MO 63304				
Subdivision Book - Page:					
Assessor's Book - Page:	06 - 0007				
City Name:	Berkeley				
Subdivision Name:	Donovan				
Legal Description:					
Lot Number:	2	Block Number:			
Lot Dimensions:	0160 / 0160 - 0237 / 0237	Total Acres:	0.87		
Tax Code - Description:	A - Taxable	Land Use Code:	637		
Deed Document Number:					
Deed Book and Page:	Book: 20339	Page: 1683	Deed Type:		
Deed Index List:	View Deed Index Information Recorded With Locator Number 10K240207				
School District:	Ferguson-Florissant	Trash District:	Not Applicable		
		County Council District:	1		

Assessment Information: 10K240207 - All Available Years

Year	Property Class	Appraised Values			%	Assessed Values		
		Land	Improv.	Total		Land	Improv.	Total
2016	Residential:				19%			
	Agriculture:				12%			
	Commercial:	89,800	52,100	141,900	32%	28,740	16,670	45,410
	Total:	89,800	52,100	141,900		28,740	16,670	45,410
2015	Residential:				19%			
	Agriculture:				12%			
	Commercial:	89,800	52,100	141,900	32%	28,740	16,670	45,410
	Total:	89,800	52,100	141,900		28,740	16,670	45,410
2014	Total:	94,800	58,200	153,000		30,340	18,620	48,960
2013	Total:	94,800	84,800	179,600		30,340	27,140	57,480
2012	Total:	94,800	88,200	183,000		30,340	28,220	58,560
2011	Total:	94,800	88,200	183,000		30,340	28,220	58,560
2010	Total:	94,800	103,000	197,800		30,340	32,960	63,300
2009	Total:	94,800	103,000	197,800		30,340	32,960	63,300
2008	Total:	98,600	79,000	177,600		31,550	25,280	56,830
2007	Total:	98,600	79,000	177,600		31,550	25,280	56,830
2006	Total:	75,800	83,900	159,700		24,260	26,850	51,110
2005	Total:	75,800	83,900	159,700		24,260	26,850	51,110

Building Information: 10K240207 - 2016 - Card 1

Locator Number	Tax Year	Card Number	Total Living Units
10K240207	2016	1	0
Year Built:	1965	Number of Units:	
Building Number:	0001	Area Under Roof:	3,200 ft ²
Structure Type:	Auto Service Garage	Class:	C
Grade:	C	Identical Units:	1
Improvement Name:	Sutton Disposal Serv		

Sales Information: 10K240207 - All Available Years

Sale Date	Sale Price	Sale Type	Sale Validity Code - Name	Book - Page
01/22/2013	\$0	Land And Building	V - Certificate Of Value (Unverified)	20339 - 1683
01/31/2011	\$0	Land And Building	V - Certificate Of Value (Unverified)	19339 - 3428
02/27/2007	\$63,000	Land And Building	5 - Liquidation / Foreclosure	17467 - 2335
03/02/2006	\$0	Land And Building	T - Transfer	17081 - 1062
02/17/2005	\$0	Land And Building	T - Transfer	16371 - 0997
09/01/1995	\$98,000	Land And Building	V - Certificate Of Value (Unverified)	

Exterior Building Information: 10K240207 - 2016 - Card 1

Line	Sect	From	To	Year Built	Total Area	Peri-meter	Use Type	Wall Height	Wall Type	Construction Type
1	01	01	01		2,400 ft ²	200	Auto Parts/Service	20 ft	Concrete Block	Wood Frame, Joist And Beam
2	01	M1	M1		800 ft ²	60	Multi Office	10 ft	Enclosure	No Const. Code

Interior Building Information: 10K240207 - 2016 - Card 1

Line	Sect	From	To	Finish %	Partition	Heat / AC	Plumbing	Physical Condition	Funct. Util.
1	01	01	01	100	Normal	Unit Heaters / None	Adequate	Normal	Normal
2	01	M1	M1	100	Normal	Unit Heaters / Central	Adequate	Normal	Normal

Other Building Features Information: 10K240207 - 2016 - Card 1

Line	Int/Ext Line	Description	Measure 1	Measure 2	Elev. Stops	Identical Units
1	1	Overhead Dr-Wood/Mtl	10	16		2

Other Buildings and Yard Information: 10K240207 - 2016

Description	Year Built	Units	Total Area	Grade	Condition
Paving Asphalt Parking	1980	1	5,000	C	Normal

Listed below are all the available online documents for this parcel.

Documents: 10K240207 - All Available Years

Tax Year	Document Title	Date	View
2015	Change Of Assessment Notice - Front	06/26/2015	View
2015	Change Of Assessment Notice - Back	06/26/2015	View
2015	Projected Tax Liability Notice - Back	06/26/2015	View
2015	Projected Tax Liability Notice - Front	06/26/2015	View
2014	Boe Decision Letter	09/03/2014	View
2013	Change Of Assessment Notice - Front	05/29/2013	View
2013	Change Of Assessment Notice - Back	05/29/2013	View
2013	Projected Tax Liability Notice - Back	05/29/2013	View
2013	Projected Tax Liability Notice - Front	05/29/2013	View
2011	Change Of Assessment Notice - Front	05/20/2011	View
2011	Change Of Assessment Notice - Back	05/20/2011	View
2011	Projected Tax Liability Notice - Back	05/20/2011	View
2011	Projected Tax Liability Notice - Front	05/20/2011	View
2009	Change Of Assessment Notice	06/15/2009	View
2009	Projected Tax Liability Notice	06/15/2009	View

Information on this page is current as of Friday, September 30, 2016.

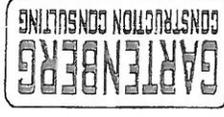


St. Louis County Parcel Viewer



8870 FROST AVENUE

GREENE, MD



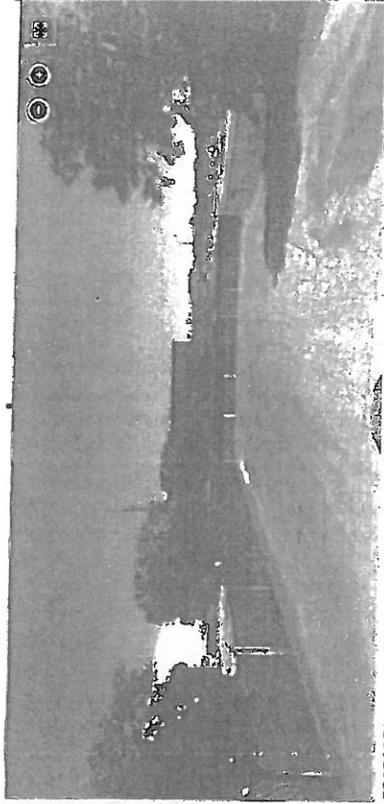
Project: 4-202025511

ISSUE: 1 MAY 2015
INFO: BID SET
CONSTRUCTION SET

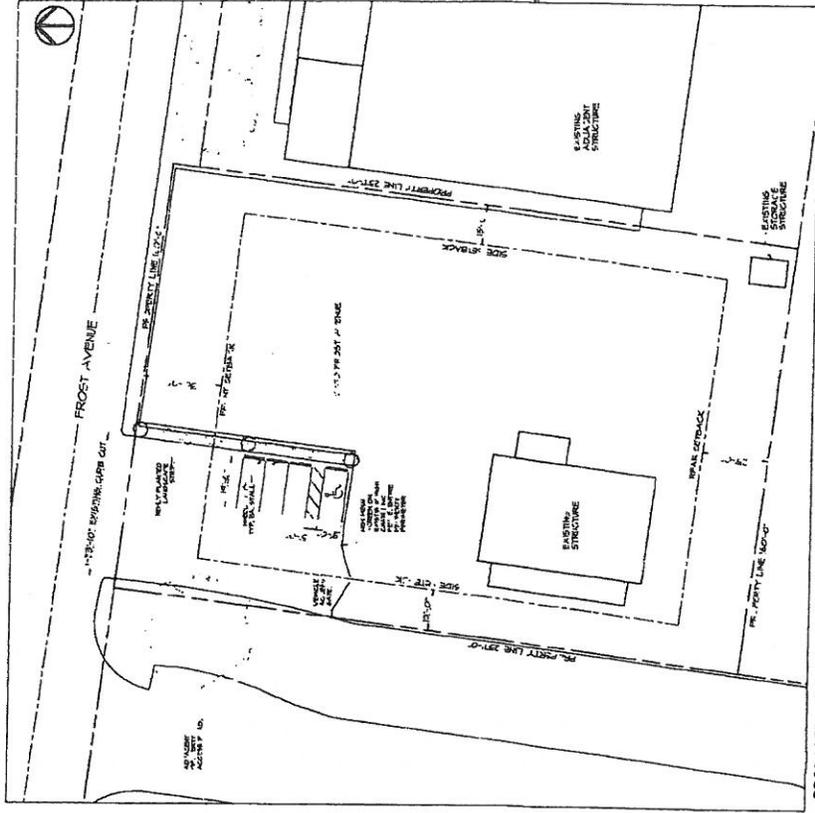
JOB NUMBER: 8875
SITE PLAN
SHEET TITLE:
SCALE: 1" = 20'

SHEET NUMBER: A1.0

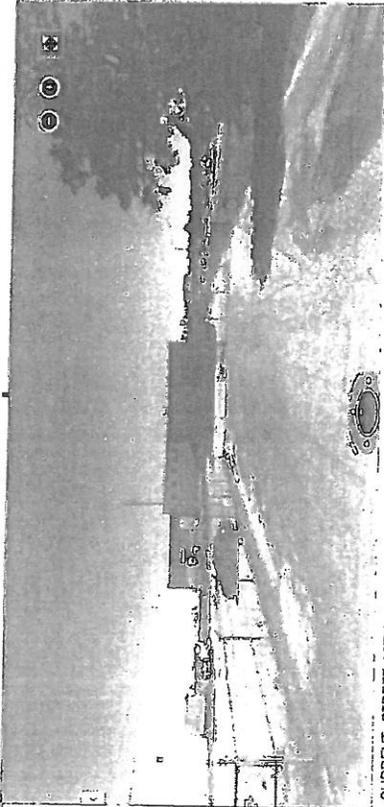
SHEET NUMBER:



PROPOSED STREET VIEW



PROPOSED SITE PLAN



CURRENT STREET VIEW



CURRENT AERIAL VIEW

Received From: DAN FISLER
8870 FROST
Date: 09/13/2016 Time: 1:11:36 PM
Receipt: 18885 *** REPRINT ***
Cashier: MitchellT

ITEM REFERENCE	AMOUNT
SUP SPECIAL USE PERMITS	
SPECIAL USE PERMITS	\$350.00
TOTAL	\$350.00
CREDIT CARDS 2846	\$350.00
Total Tendered:	\$350.00
Change:	\$0.00

Case # 16-12

ST. LOUIS COUNTY, MISSOURI



Real Estate Tax History Statement

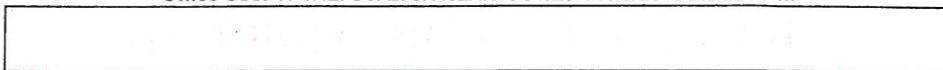
This information reflects the tax status for the account and tax year(s) indicated.

If you have any questions you can contact the Collection Division by calling (314) 615-5500.

Effective 10/6/2016.

Locator Number: 10K240207
Owner Name: Cassones Environmental Waste Solutions
Property Location: 8870 Frost Ave
Subdivision: Donovan
Block Number:
Lot Number: 2
School Sub Code: 111NE
Legal Description:
Assessed Value: \$45,410.00

Office Use: TP1HL700F270H452XKT0G1IE5K 10/6/2016 2:54:24 PM



Real Estate Tax History:

Tax Year	Owner's Name	Tax Code	Sewer Lateral Fee	Total Assessed Value	Amount Due	Amount Paid	Date Paid
2015	Cassones Environmental Waste Solutions	111NE	\$0.00	\$45,410.00	\$5,106.30	\$5,106.30	12/31/2015
2014	Cassones Environmental Waste Solutions	111NE	\$0.00	\$48,960.00	\$5,551.08	\$5,551.08	12/31/2014
2013	Cassones Environmental Waste Solutions	111NE	\$0.00	\$57,480.00	\$6,228.26	\$6,228.26	12/31/2013
2012	Cassone Anna M Etal	111NE	\$0.00	\$58,560.00	\$6,050.53	\$6,050.53	12/31/2012
2011	Cassone Anna M Etal	111NE	\$0.00	\$58,560.00	\$6,653.18	\$6,653.18	5/3/2012
2010	Sutton Phillip Etal	111NE	\$0.00	\$63,300.00	\$6,239.37	\$6,239.37	11/23/2010
2009	Sutton Phillip Etal	111NE	\$0.00	\$63,300.00	\$5,988.13	\$5,988.13	11/19/2009
2008	Sutton Phillip Etal	111NE	\$0.00	\$56,830.00	\$5,454.90	\$5,454.90	12/23/2008
2007	Sutton Phillip Etal	111NE	\$0.00	\$56,830.00	\$5,540.71	\$5,540.71	12/31/2007
2006	Mooring Tax Asset Group L L C	111NE	\$0.00	\$51,110.00	\$5,959.97	\$5,959.97	12/31/2007
2005	Sutton & Sons Refuse Disposal Service In	111NE	\$0.00	\$51,110.00	\$5,398.31	\$5,398.31	2/27/2006
2004	Sutton & Sons Refuse Disposalservice	111NE	\$0.00		\$5,707.73	\$5,707.73	7/29/2005
2003	Sutton & Sons Refuse Disposalservice	111NE	\$0.00		\$5,739.95	\$5,739.95	9/17/2004
2002	Sutton & Sons Refuse Disposalservice	111NE	\$0.00		\$6,041.83	\$6,041.83	9/17/2004
2001	Sutton & Sons Refuse Disposalservice	111NE	\$0.00		\$6,766.05	\$6,766.05	9/17/2004
2000	Sutton & Sons Refuse Disposal Service	111NE	\$0.00		\$3,441.34	\$3,441.34	1/16/2001
1999	Sutton & Sons Refuse Disposal Service	111NE	\$0.00		\$3,487.64	\$3,487.64	12/21/1999

Note that commercial surcharges are not included in the tax Amount Due column for tax years prior to 2002.

